CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

PAGE 01/03

MAR 1 6 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  In re Appin. of: Sanders et al.  Appin. No.: 10/032,700  Examiner: Stephens, Jacqueline F.  Filed: December 28, 2001  For: REFASTENABLE ABSORBENT GARMENT AND METHOD FOR THE ASSEMBLY THEREOF  Attorney Docket No: 659-911  Mail Stop issue Fee Commissioner for Patents P. O. Box 1450  It written Statement As To Substance of Interview Return Receipt Postcard Fee calculation:  No additional fee is required. Small Entity. An extension fee in an amount of \$month extension of time under 37 C.F.R. § 1.136(a). A petition or processing fee in an amount of \$under 37 C.F.R. § 1.17() An additional filing fee has been calculated as shown below:  Claims Remaining Highest No. After Amendment Highest No. After Amendment Highest No. After Amendment Minus  India Add Fee or Rate Add Fee  Total Minus  India Add Fee  Total Minus  India Add Fee  Total Minus  India Add Fee  Total See	for Pate	nts. P. O. Box 14	50, Alexand	iria, VA 2	mg transmitted via facsifi 2313-1450, on the below ver. Rec. No. 28.629 — Sign	date:	N.			<u> </u>	HOFER	-
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Filed: December 28, 2001  For: REFASTENABLE ABSORBENT GARMENT AND METHOD FOR THE ASSEMBLY THEREOF  Attorney Docket No: 659-911  Mail Stop Issue Fee Commissioner for Patents P. O. 80x 1450 Alexandria, VA 22313-1450  Str. Attached Is/are:  Written Statement As To Substance of Interview Return Receipt Postcard Fee calculation:  No additional fee is required. Small Entity. An extension fee in an amount of \$month extension of time under 37 C.F.R. § 1.136(a). A patition or processing fee in an amount of \$month extension of time under 37 C.F.R. § 1.17(). An additional filing fee has been calculated as shown below:    Claims Remaining	In the United States Patent and Trademark Office. In re Appln. of: Sanders et al.											
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Respectfully submitted,						Resp	ectfully sub	mitted,		-		
March 15, 2007	March 15, 2007 Date					Andri	W D. Steve	r (Rep. NA	. 38.6	329)		
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## RECEIVED CENTRAL FAX CENTER

MAR 1 6 2007

Examiner: Stephens, Jacqueline F.

Group Art Unit No.: 3761

I hereby certify that this correspondence is being transmitted via facsimile to 571-273-8300; MS ISSUE FEE. Commissioner for Patents, P.O. Box 1450. Alexandria, VA 22313-1450, on:

PATENT Case No. 659-911

March 16, 2007

Date of Transmission

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ANDREW D. STOVER, Reg. No. 38,629
Name of applicant, assignce or

Name of applicant, assignce or Registered Representative

March 16, 2007

Date of Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sanders, et al.

Serial No.: 10/032,700

Filing Date: December 28, 2001

For:

REFASTENABLE ABSORBENT

GARMENT AND METHOD FOR

ASSEMBLY THEREOF

## WRITTEN STATEMENT AS TO SUBSTANCE OF INTERVIEW

MS ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

After receiving a Notice of Allowance, Applicants timely paid the issue fee in this application on January 3, 2007. Subsequent to that date, Applicants received a Supplemental Notice of Allowability mailed February 16, 2007, which included an Examiner's Amendment to claim 38, notwithstanding that Applicants had already paid the issue fee. After reviewing the Examiner's amendment, Applicants

S/N 10/032,700 Ref. No.: 659-911

Client Ref. No.: K-C 17154

determined that the Amendment was erroneous, and improperly incorporated extraneous language that followed the period marking the end of claim 38 into claim 38. The new language is similar to language previously recited in claim 38.

In response, Applicants' undersigned attorney called the Examiner on or about March 8, 2007 to explain that the language following the period marking the end of claim 38 should simply have been deleted, rather than incorporated into claim 38. While the Examiner agreed with Applicants' assessment, she further indicated that there was nothing she could do, and that it was too late to enter another Examiner's amendment, and further that an amendment filed under 37 CFR 1.312 would be improper since Applicants already had paid the issue fee.

The Examiner suggested that Applicants file a certificate of correction once the patent issues, or withdraw the application from issuance. Since it is clear that the new language added by the Examiner is merely duplicative of the previously recited language, and that claim 38, even if issued as amended by the Examiner, is clear and definite, Applicants have elected to submit this written statement as to the substance of interview and will decide whether a request for certificate of correction is in order once the patent issues.

Any questions concerning this Written Statement should be directed to the undersigned attorney at (312) 321-4713.

Date: March 16, 2007

Respectfully submitted

Registration No. 38,629 Attorney for Applicant

BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, ILLINOIS 60610 (312) 321-4200